

John

Notice of Allowability	Application No.	Applicant(s)	
	10/716,387	DALLAS ET AL.	
	Examiner	Art Unit	
	Jason Prone	3724	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--
 All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 12 September 2005.
2. ☒ The allowed claim(s) is/are 1-3,5,6,8-11,13,14,16 and 18-23.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| <ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____ 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | <ol style="list-style-type: none"> 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) 6. <input type="checkbox"/> Interview Summary (PTO-413), Paper No./Mail Date _____ 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance 9. <input type="checkbox"/> Other _____ |
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DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Sean P. Connolly on 02 December 2005.

The application has been amended as follows:

- In regards to claim 6, the phrase "wherein the handle includes an interior channel and the flashlight is stowed in the channel when the flashlight is in a closed position" has been replaced with --wherein the flashlight is stowed in the inner channel when the flashlight is in a closed position--.
- In regards to claim 5, the preamble "The pocket tool of claim 4" has been replaced with --The pocket tool of claim 1--.
- In regards to line 5 of claim 8, the phrase "the flashlight having a closed position and an open position" has been replaced with --the flashlight having a closed position and a fully extended position--.
- In regards to line 6 of claim 8, the phrase "a means for biasing the flashlight into the open position" has been replaced with --a means for biasing the flashlight into the fully extended position--.

Art Unit: 3724

- In regards to line 10 of claim 8, the phrase “pocket too” has been replaced with “pocket tool”.
- In regards to last paragraph of claim 8, “wherein the handle has a sufficient curvature to allow light from the flashlight to illuminate the ancillary tool without the light being blocked by the intended user’s fingers positioned along the inner curved surface” has been replaced with --wherein the handle has a sufficient curvature to allow light from the flashlight to illuminate the ancillary tool without the light being blocked by the intended user’s fingers positioned along the inner curved surface when the flashlight is in the fully extended position--.
- In regards to claim 13, the preamble “The pocket tool of claim 12” has been replaced with --The pocket tool of claim 8--.
- In regards to claim 14, the phrase “wherein the handle includes an interior channel and the flashlight is stowed in the channel when the flashlight is in a closed position” has been replaced with --wherein the flashlight is stowed in the inner channel when the flashlight is in a closed position--.
- Claim 17 has been cancelled.

Allowable Subject Matter

2. Claims 1-3, 5, 6, 8-11, 13, 14, 16, and 18-23 are allowed.
3. The following is an examiner’s statement of reasons for allowance: Claims 1 and 18 are allowable because of the apparatus with a handle with an inner and outer curve, a pivot tool, a pivotal flashlight with 2 light sources, and the curved handle has enough curvature to allow light from the flashlight to illuminate the tool without the light being

Art Unit: 3724

blocked by the user's fingers as set forth in the claims. None of the prior art cited discloses an apparatus that incorporates the use of a handle with an inner and outer curve, a pivot tool, a pivotal flashlight with 2 light sources, and the curved handle has enough curvature to allow light from the flashlight to illuminate the tool without the light being blocked by the user's fingers to allow the flashlight to illuminate the tool while in use. Claim 8 is allowable because of the apparatus with a handle with an inner and outer curve, a pivot tool, a pivotal flashlight, and the curved handle has enough curvature to allow light from the flashlight to illuminate the tool without the light being blocked by the user's fingers when the flashlight is in the fully extended position as set forth in the claim. None of the prior art cited discloses an apparatus that incorporates the use of a handle with an inner and outer curve, a pivot tool, a pivotal flashlight, and the curved handle has enough curvature to allow light from the flashlight to illuminate the tool without the light being blocked by the user's fingers when the flashlight is in the fully extended position to allow the flashlight to illuminate the tool while in use.

Therefore, in view of what has been stated above, the claims are allowable over the art of record.

4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Art Unit: 3724

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason Prone whose telephone number is (571) 272-4513. The examiner can normally be reached on 7:30-5:00, Mon - (every other) Fri.

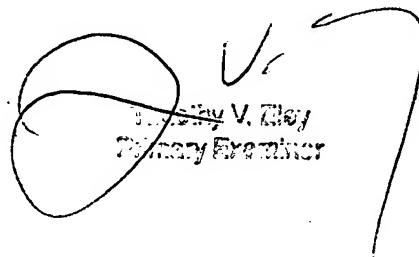
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Allan N. Shoap can be reached on (571) 272-4514. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

- Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



JP
December 02, 2005



Timothy V. Day
Primary Examiner